

Remarks

Applicant has considered the Final Office Action mailed on October 19, 2006. In response to the Final Office Action, Applicant canceled claims 2, 10 and 18 and incorporated the subject matter therefrom into claims 1, 9 and 17, respectively, to overcome the 35 USC §103(a) rejection. This amendment, which is in compliance with 37 CFR §1.116, materially clarifies the issues raised by the Examiner with respect to the §103(a) rejection and does not recite differently claimed subject matter which would require a further search by the Examiner. Accordingly, Applicant requests that the Examiner enter the amendment and reconsider the present patent application in light of the above-noted changes.

In the Final Office the Examiner has maintained the rejection of claims 1-20 under 35 USC §103(a) as being obvious over Elzur (US Patent Application Publication Number US2003/0172342) in view of Applicant's Admitted Prior (AAPA). Applicant respectfully traverses the §103(a) rejection of the present patent application and submits that claims 1, 3-9, 11-17 and 19-20 are patentable over the combination of Elzur in view of AAPA.

As amended, independent claims 1, 9 and 17 of the present patent application each recites, *inter alia*, the limitation of calculating a CRC value and a TCP checksum value in parallel.

The Examiner noted that this limitation, which was previously recited in claims 2, 10 and 18, is taught by Elzur and has referenced FIGS. 10A-10D for Serial No. 10/733,588

support of the contention that the combination of Elzur in view of AAPA discloses calculating a CRC value and a TCP checksum value in parallel. Applicant has reviewed FIGS. 10A-10D and the sections in the detailed description of Elzur (paragraphs 0050-0051) that pertain to these figures and submits that Elzur does not provide a teaching or suggestion of calculating a CRC value and a TCP checksum value in parallel.

Elzur discloses calculating a CRC value over the whole framing protocol data unit and comparing it to the value received in the CRC field of that framing protocol data unit (step 290 in FIG. 10C of Elzur). After calculating a CRC value, Elzur determines whether the CRC value is valid (step 300 in FIG. 10C of Elzur). If the CRC value is valid, then Elzur obtains control information and/or data information (step 310 in FIG. 10C of Elzur). On the other hand, if the CRC value is not valid then a query is made to determine whether transmission control protocol (TCP) processing has been done for a particular segment (step 360 in FIG. 10D of Elzur). If it is determined that the TCP segment has been processed, then an error is noted and the TCP connection is torn down (step 370 in FIG. 10D of Elzur). In discussing step 370 of FIG. 10D, Elzur notes in paragraph 0050 that this error which was detected by the CRC may have slipped through the TCP checksum test. Although Elzur discusses a CRC calculation and a TCP checksum in this paragraph there is no teaching or suggestion of calculating the CRC and TCP checksum in parallel. If anything, this section in Elzur suggests that the TCP checksum is calculated prior to determining the

CRC value because the error slipped through the TCP checksum test but was detected later during the CRC calculation.

AAPA also fails to disclose or suggest calculating a CRC value and a TCP checksum value in parallel. Specifically, AAPA discloses in paragraph 0089 (lines 6-10) of the present patent application that conventional calculation and validation of a CRC value follows a TCP checksum validation.

Since both Elzur and AAPA calculate a CRC value at a different time than the TCP checksum validation, Applicant submits that the combination of Elzur in view of AAPA does not disclose or suggest calculating a CRC value and a TCP checksum value in parallel. Furthermore, Applicant submits that the combination of Elzur in view of AAPA fails to provide a motivation that would lead a person of ordinary skill in the art to do something different than what is taught by the combination such as calculating a CRC value and a TCP checksum value in parallel.

Because the combination of Elzur in view of AAPA does not disclose or suggest calculating a CRC value and a TCP checksum value in parallel as recited in independent claims 1, 9 and 17, Applicant submits that these claims are patentably distinguishable over the combination. Claims 3-8, 11-16 and 19-20 depend directly or indirectly from now presumably allowable claims 1, 9 and 17, respectively, and thus are allowable by dependency. Accordingly, Applicant requests that the Examiner reconsider and remove the §103(a) rejection of claims 1, 3-9, 11-17 and 19-20 under the combination of Elzur in view of AAPA.

In view of the foregoing amendments and remarks, Applicant requests that the Examiner reconsider this application and allow claims 1, 3-9, 11-17 and 19-20.

If the Examiner has any questions regarding the present patent application, the Examiner can call Applicant's attorney, David C. Goldman, at telephone number (518)-449-0044.

Respectfully submitted,

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